

CERTIFICATION OF ENROLLMENT

**THIRD ENGROSSED SUBSTITUTE SENATE BILL 5327**

Chapter 14, Laws of 2001

(partial veto)

57th Legislature  
2001 Second Special Session

TRANSPORTATION FUNDING

EFFECTIVE DATE: 6/26/01 - Except section 608, which becomes effective 3/1/02.

Passed by the Senate June 21, 2001  
YEAS 25 NAYS 14

BRAD OWEN

\_\_\_\_\_  
**President of the Senate**

Passed by the House June 21, 2001  
YEAS 69 NAYS 12

FRANK CHOPP

\_\_\_\_\_  
**Speaker of the  
House of Representatives**

CLYDE BALLARD

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**Speaker of the  
House of Representatives**

Approved June 26, 2001, with the exception of sections 106; 210 (lines 10-13); 233(1); and 501, which are vetoed.

GARY LOCKE

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**Governor of the State of Washington**

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **THIRD ENGROSSED SUBSTITUTE SENATE BILL 5327** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK

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**Secretary**

FILED

June 26, 2001 - 11:53 a.m.

**Secretary of State  
State of Washington**



1 (2) Legislation with fiscal impacts enacted in the 2001 legislative  
2 session not assumed in this act are not funded in the 2001-03  
3 transportation budget.

4 (3) Unless the context clearly requires otherwise, the definitions  
5 in this subsection apply throughout this act.

6 (a) "Fiscal year 2002" or "FY 2002" means the fiscal year ending  
7 June 30, 2002.

8 (b) "Fiscal year 2003" or "FY 2003" means the fiscal year ending  
9 June 30, 2003.

10 (c) "FTE" means full-time equivalent.

11 (d) "Lapse" or "revert" means the amount shall return to an  
12 unappropriated status.

13 (e) "Provided solely" means the specified amount may be spent only  
14 for the specified purpose.

15 (f) "Performance-based budgeting" means a budget that bases  
16 resource needs on quantified outcomes and results expected from use of  
17 the total appropriation. "Performance-based budgeting" does not mean  
18 incremental budgeting that focuses on justifying changes from the  
19 historic budget or to line-item input-driven budgets.

20 (g) "Goals" means the statements of purpose that identify a desired  
21 result or outcome. The statements shall be realistic, achievable,  
22 directive, assignable, evaluative, and logically linked to the agency's  
23 mission and statutory mandate.

24 (h) "Strategic plan" means the strategies agencies create for  
25 investment choices in the future. All agency strategic plans shall  
26 present alternative investment strategies for providing services.

27 **GENERAL GOVERNMENT AGENCIES--OPERATING**

28 NEW SECTION. **Sec. 101. FOR THE DEPARTMENT OF AGRICULTURE**  
29 Motor Vehicle Account--State Appropriation . . . . . \$ 305,000

30 The appropriation in this section is subject to the following  
31 conditions and limitations and specified amounts are provided solely  
32 for that activity: The entire appropriation is provided solely for  
33 costs associated with the motor fuel quality program.

34 NEW SECTION. **Sec. 102. FOR THE LEGISLATIVE EVALUATION AND**  
35 **ACCOUNTABILITY PROGRAM**

1 Motor Vehicle Account--State Appropriation . . . . . \$ 1,676,000

2 The appropriation in this section is subject to the following  
3 conditions and limitations and specified amounts are provided solely  
4 for that activity: \$1,188,000 of the motor vehicle account--state  
5 appropriation is provided for the implementation of House Bill No. 2269  
6 in the form enacted by the legislature. If House Bill No. 2269 is not  
7 enacted in the form passed by the legislature by July 31, 2001, this  
8 funding will lapse.

9 NEW SECTION. **Sec. 103. FOR THE UTILITIES AND TRANSPORTATION**  
10 **COMMISSION**

11 Grade Crossing Protective Account--  
12 State Appropriation . . . . . \$ 126,000

13 The appropriation in this section is subject to the following  
14 conditions and limitations and specified amounts are provided solely  
15 for that activity: The utilities and transportation commission shall  
16 develop a rail grade crossing safety grant program which will fully  
17 fund selected safety projects to the extent allowable under chapter  
18 81.53 RCW.

19 NEW SECTION. **Sec. 104. FOR THE STATE PARKS AND RECREATION**  
20 **COMMISSION**

21 Motor Vehicle Account--State Appropriation . . . . . \$ 819,000

22 The appropriation in this section is subject to the following  
23 conditions and limitations and specified amounts are provided solely  
24 for that activity: The appropriation in this section is provided  
25 solely for road maintenance purposes.

26 NEW SECTION. **Sec. 105. FOR THE OFFICE OF STATE AUDITOR**

27 Motor Vehicle Account--State Appropriation . . . . . \$ 126,000

28 The appropriation in this section is subject to the following  
29 conditions and limitations and specified amounts are provided solely  
30 for that activity: The appropriation is a one-time appropriation for  
31 the development of the local government finance project.





1 (c) Cities and counties using traffic safety cameras must provide  
2 periodic notice by mail to its citizens indicating the zones in which  
3 the traffic safety cameras will be used;

4 (d) Notices of infractions must be mailed to the registered owner  
5 of a vehicle within fourteen days of the infraction occurring;

6 (e) The owner of the vehicle is not responsible for the violation  
7 if the owner of the vehicle, within fifteen days after notification of  
8 the violation, furnishes the officials or agents of the municipality  
9 that issued the citation with:

10 (i) An affidavit made under oath, stating that the vehicle involved  
11 was, at the time, stolen or in the care, custody, or control of some  
12 person other than the registered owner; or

13 (ii) Testimony in open court under oath that the person was not the  
14 operator of the vehicle at the time of the alleged violation;

15 (f) Infractions detected through the use of traffic safety cameras  
16 are not part of the registered owner's driving record under RCW  
17 46.52.101 and 46.52.120; and

18 (g) By January 1, 2003, the traffic safety commission shall provide  
19 a report to the legislature regarding the use, public acceptance,  
20 outcomes, and other relevant issues regarding traffic safety cameras  
21 demonstrated by the pilot projects.

22 NEW SECTION. **Sec. 202. FOR THE BOARD OF PILOTAGE COMMISSIONERS**  
23 Pilotage Account--State Appropriation . . . . . \$ 305,000

24 NEW SECTION. **Sec. 203. FOR THE COUNTY ROAD ADMINISTRATION BOARD**  
25 Rural Arterial Trust Account--State  
26 Appropriation . . . . . \$ 50,182,000  
27 Motor Vehicle Account--State Appropriation . . . \$ 1,887,000  
28 County Arterial Preservation Account--  
29 State Appropriation . . . . . \$ 28,551,000  
30 TOTAL APPROPRIATION . . . . . \$ 80,620,000

31 The appropriations in this section are subject to the following  
32 conditions and limitations and specified amounts are provided solely  
33 for that activity:

34 It is the intent of the legislature that the county road  
35 administration board receive separate programmatic appropriations for  
36 the operating program and the capital program for the 2001-03 biennium,

1 and thereafter. Agency administrative costs may not be charged against  
2 projects or funded from the capital program appropriations.

3 (1) \$1,540,000 of the motor vehicle account--state appropriation,  
4 \$870,000 of the county arterial preservation account--state  
5 appropriation, and \$917,000 of the rural arterial trust account--state  
6 appropriation are provided for the operations program. Of the motor  
7 vehicle account--state appropriation, \$368,000 is provided for county  
8 ferries as set forth in RCW 47.56.724(4).

9 (2) \$347,000 of the motor vehicle account--state appropriation,  
10 \$27,681,000 of the county arterial preservation account--state  
11 appropriation, and \$49,265,000 of the rural arterial trust  
12 account--state appropriation are provided for the capital program.

13 NEW SECTION. **Sec. 204. FOR THE TRANSPORTATION IMPROVEMENT BOARD**

14 Urban Arterial Trust Account--State	
15       Appropriation . . . . .	\$ 94,690,000
16 Transportation Improvement Account--	
17       State Appropriation . . . . .	\$ 118,605,000
18               TOTAL APPROPRIATION . . . . .	\$ 213,295,000

19 The appropriations in this section are subject to the following  
20 conditions and limitations and specified amounts are provided solely  
21 for that activity:

22 It is the intent of the legislature that the transportation  
23 improvement board receive separate programmatic appropriations for the  
24 operating program and the capital program for the 2001-03 biennium, and  
25 thereafter. Agency administrative costs may not be charged against  
26 projects or funded from the capital program appropriations.

27 (1) \$1,551,000 of the transportation improvement account--state  
28 appropriation and \$1,552,000 of the urban arterial trust account--state  
29 appropriation are provided for the operations program.

30 (2) \$117,054,000 of the transportation improvement account--state  
31 appropriation and \$93,138,000 of the urban arterial trust  
32 account--state appropriation are provided for the capital program.

33 (3) The transportation improvement account--state appropriation  
34 includes \$47,325,000 in proceeds from the sale of bonds authorized in  
35 RCW 47.26.500. The transportation improvement board may authorize the  
36 use of current revenues available to the agency in-lieu of bond  
37 proceeds for any part of the state appropriation.

1        NEW SECTION.        **Sec. 205.        FOR THE LEGISLATIVE TRANSPORTATION**  
2 **COMMITTEE**

3 Motor Vehicle Account--State Appropriation . . . \$                    3,596,000

4        The appropriation in this section is subject to the following  
5 conditions and limitations and specified amounts are provided solely  
6 for that activity:

7        (1) \$2,823,000 of the motor vehicle account--state appropriation is  
8 provided for the operation of the house of representatives  
9 transportation committee.

10        (2) To the extent possible, this appropriation shall utilize funds  
11 allocated under RCW 46.68.110(2).

12        (3) The house of representatives transportation committee shall  
13 conduct a study of the use of motorized scooters. The study shall, at  
14 a minimum, identify and analyze the safety issues associated with use  
15 of motorized scooters, including use by children, commuters, and the  
16 disabled. House of representatives transportation committee cochairs  
17 shall each appoint one member from their respective caucus to serve as  
18 cochair of the study group. The chair of the senate transportation  
19 committee may also appoint two members from the senate transportation  
20 committee, one from each caucus, to participate in the study. The  
21 study shall be staffed by house of representatives transportation  
22 committee staff. The study group shall report back to the house of  
23 representatives transportation committee by January 1, 2002.

24        (4) The house of representatives transportation committee shall  
25 conduct a study of the effect of the weight of fire-fighting apparatus  
26 on state roadways. The study shall determine, at a minimum, the  
27 various types of fire-fighting apparatus currently in use on state  
28 roadways; the size, weight and load effect of fire-fighting apparatus  
29 that are currently in use or that potentially could be in use on the  
30 state roadways, as well as on state bridges; and the effect on public  
31 safety. The study may examine state and federal laws that affect fire-  
32 fighting apparatuses. House of representatives transportation  
33 committee cochairs shall each appoint one member from their respective  
34 caucus to serve as cochair of the study group. The study shall be  
35 staffed by house of representatives transportation committee staff.  
36 The study group will report back to the house of representatives  
37 transportation committee by January 1, 2002.

1 (5) The legislative transportation committee shall conduct a  
2 feasibility study of potential for economic partnerships between the  
3 Washington state ferries and local government entities, including but  
4 not limited to port districts. The study is intended to improve ferry  
5 terminals. The study shall, at a minimum, identify the market,  
6 physical, and economic factors that should be examined in determining  
7 whether an economic or commercial development partnership project on or  
8 around Washington state ferry terminals is likely to produce revenue  
9 for the partners. The study shall apply those factors to an analysis  
10 of each terminal used by Washington state ferries and recommend whether  
11 further exploration of state and local partnerships would be of  
12 potential economic benefit to the partners. The entity selected to  
13 perform the study through the request for proposals process will report  
14 back to the transportation committees of the legislature by December 1,  
15 2001.

16 (6) The legislative transportation committee, in cooperation with  
17 an areawide transportation system or systems, shall undertake an  
18 evaluation of providing locally sponsored transit services in a local  
19 community supplemental to those services provided by an areawide  
20 system. The evaluation shall address:

- 21 (a) The costs and benefits of providing such services;
- 22 (b) The impact of such service on ridership on the areawide system  
23 and on any regional systems;
- 24 (c) Funding options for supplemental services; and
- 25 (d) Institutional arrangements affecting the institution of  
26 supplemental services.

27 The committee shall work with the department of transportation,  
28 areawide transit providers, community officials, private businesses,  
29 labor organizations, and others as appropriate in conducting the  
30 evaluation, and in developing a pilot project if feasible. The  
31 committee shall provide an interim progress report to the legislature  
32 by January 2002. The committee shall report its findings to the  
33 legislature not later than December 1, 2002.

34 NEW SECTION. **Sec. 206. FOR THE MARINE EMPLOYEES COMMISSION**

35 Puget Sound Ferry Operations Account--  
36 State Appropriation . . . . . \$ 332,000

37 NEW SECTION. **Sec. 207. FOR THE TRANSPORTATION COMMISSION**

1 Motor Vehicle Account--State Appropriation . . . \$ 773,000

2 NEW SECTION. **Sec. 208. FOR THE FREIGHT MOBILITY STRATEGIC**  
3 **INVESTMENT BOARD**

4 Motor Vehicle Account--State Appropriation . . . \$ 717,000

5 The appropriation in this section is subject to the following  
6 conditions and limitations and specified amounts are provided solely  
7 for that activity: The appropriation in this section includes \$100,000  
8 distributed under RCW 46.68.110(2) that is provided solely for a  
9 comprehensive, long-term, statewide freight needs analysis. These  
10 funds represent 20 percent of the biennial cost and shall lapse if the  
11 additional 80 percent funding is not secured from partners.

12 NEW SECTION. **Sec. 209. FOR THE WASHINGTON STATE PATROL--FIELD**  
13 **OPERATIONS BUREAU**

14	State Patrol Highway Account--	
15	State Appropriation . . . . .	\$ 162,081,000
16	State Patrol Highway Account--	
17	Federal Appropriation . . . . .	\$ 7,084,000
18	State Patrol Highway Account--	
19	Private/Local Appropriation . . . . .	\$ 169,000
20	TOTAL APPROPRIATION . . . . .	\$ 169,334,000

21 The appropriations in this section are subject to the following  
22 conditions and limitations and specified amounts are provided solely  
23 for the activities of the field operations bureau:

24 (1) As a result of the elimination of the vehicle inspection number  
25 (VIN) program, no permanent Washington state patrol employee shall be  
26 displaced from employment without the opportunity to fill a vacant  
27 patrol position for which he or she has a preference and meets the  
28 minimum qualifications. For the purpose of the VIN program  
29 elimination, the guidelines under chapter 356-26 WAC (Registers-  
30 Certifications) shall be suspended for those employees holding the  
31 classification of VIN 1 or 2.

32 (2) To the extent possible, the agency shall transfer displaced VIN  
33 personnel into the 20 newly created school bus inspection and motor  
34 carrier safety assistance program positions. The agency shall fill  
35 existing vacant positions within the commercial vehicle division with

1 displaced VIN personnel. The agency shall report by December 31, 2001,  
2 to the senate and house of representatives transportation committees on  
3 efforts to relocate displaced VIN personnel.

4 NEW SECTION. **Sec. 210. FOR THE WASHINGTON STATE PATROL--SUPPORT**  
5 **SERVICES BUREAU**

6	State Patrol Highway Account--		
7	State Appropriation . . . . .	\$	69,960,000
8	State Patrol Highway Account--		
9	Private/Local Appropriation . . . . .	\$	735,000
10	TOTAL APPROPRIATION . . . . .	\$	70,695,000

11 The appropriations in this section are subject to the following  
12 conditions and limitations and specified amounts are provided solely  
13 for the activities of the support services bureau. *The Washington*  
14 *state patrol shall improve response times during emergency radio*  
15 *outages by allowing electronic services field technicians to take home*  
16 *their assigned vehicle and equipment even though they may be off duty.*  
17 \*Sec. 210 was partially vetoed. See message at end of chapter.

18 NEW SECTION. **Sec. 211. FOR THE DEPARTMENT OF LICENSING--**  
19 **MANAGEMENT AND SUPPORT SERVICES**

20	Marine Fuel Tax Refund Account--State		
21	Appropriation . . . . .	\$	7,000
22	Motorcycle Safety Education Account--		
23	State Appropriation . . . . .	\$	114,000
24	Wildlife Account--State Appropriation . . . . .	\$	89,000
25	Highway Safety Account--State Appropriation . . . . .	\$	7,740,000
26	Motor Vehicle Account--State Appropriation . . . . .	\$	4,230,000
27	Licensing Services Account--State		
28	Appropriation . . . . .	\$	123,000
29	TOTAL APPROPRIATION . . . . .	\$	12,303,000

30 NEW SECTION. **Sec. 212. FOR THE DEPARTMENT OF LICENSING--**  
31 **INFORMATION SYSTEMS**

32	Marine Fuel Tax Refund Account--State		
33	Appropriation . . . . .	\$	2,000
34	Motorcycle Safety Education Account--		
35	State Appropriation . . . . .	\$	50,000

1	Wildlife Account--State Appropriation . . . . .	\$	34,000
2	Highway Safety Account--State Appropriation . . . . .	\$	5,655,000
3	Motor Vehicle Account--State Appropriation . . . . .	\$	3,304,000
4	Licensing Services Account--State		
5	Appropriation . . . . .	\$	292,000
6	TOTAL APPROPRIATION . . . . .	\$	9,337,000

7       The appropriations in this section are subject to the following  
8 conditions and limitations: The department of licensing shall report  
9 to the legislative transportation committees on the progress of the  
10 expanded internet service no later than December 15, 2002.

11       NEW SECTION.   **Sec. 213. FOR THE DEPARTMENT OF LICENSING--VEHICLE**  
12 **SERVICES**

13	Marine Fuel Tax Refund Account--		
14	State Appropriation . . . . .	\$	26,000
15	Wildlife Account--State Appropriation . . . . .	\$	578,000
16	Motor Vehicle Account--State Appropriation . . . . .	\$	57,043,000
17	Licensing Services Account--State		
18	Appropriation . . . . .	\$	3,123,000
19	TOTAL APPROPRIATION . . . . .	\$	60,770,000

20       NEW SECTION.   **Sec. 214. FOR THE DEPARTMENT OF LICENSING--DRIVER**  
21 **SERVICES**

22	Motorcycle Safety Education Account--		
23	State Appropriation . . . . .	\$	2,223,000
24	Highway Safety Account--State Appropriation . . . . .	\$	81,366,000
25	TOTAL APPROPRIATION . . . . .	\$	83,589,000

26       The appropriations in this section are subject to the following  
27 conditions and limitations: The department of licensing shall prepare  
28 a capital project plan adopting a process for using certificates of  
29 participation to purchase licensing services offices if the combined  
30 principle and interest payments are the same or less than existing or  
31 future leases on comparable facilities.

32       NEW SECTION.   **Sec. 215. FOR THE DEPARTMENT OF TRANSPORTATION--**  
33 **HIGHWAY MANAGEMENT AND FACILITIES--PROGRAM D--OPERATING**

34	Motor Vehicle Account--State Appropriation . . . . .	\$	50,649,000
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1	Motor Vehicle Account--Federal Appropriation . . . \$	400,000
2	TOTAL APPROPRIATION . . . . . \$	51,049,000

3 The appropriations in this section are subject to the following  
4 conditions and limitations and specified amounts are provided solely  
5 for that activity: \$3,296,000 of the motor vehicle account--state  
6 appropriation is provided solely for the implementation of Engrossed  
7 Senate Bill No. 6188.

8 NEW SECTION. **Sec. 216. FOR THE DEPARTMENT OF TRANSPORTATION--**  
9 **AVIATION--PROGRAM F**

10	Aeronautics Account--State Appropriation . . . . \$	4,852,000
11	Aircraft Search and Rescue Safety and	
12	Education Account--State Appropriation . . . \$	160,000
13	TOTAL APPROPRIATION . . . . . \$	5,012,000

14 NEW SECTION. **Sec. 217. FOR THE DEPARTMENT OF TRANSPORTATION--**  
15 **IMPROVEMENTS--PROGRAM I**

16	Motor Vehicle Account--State Appropriation . . . \$	508,936,000
17	Motor Vehicle Account--Federal Appropriation . . \$	219,538,000
18	Motor Vehicle Account--Private/Local	
19	Appropriation . . . . . \$	40,904,000
20	Special Category C Account--State	
21	Appropriation . . . . . \$	72,608,000
22	Multimodal Transportation Account--State	
23	Appropriation . . . . . \$	4,880,000
24	TOTAL APPROPRIATION . . . . . \$	846,866,000

25 The appropriations in this section are provided for the location,  
26 design, right of way acquisition, or construction of state highway  
27 projects designated as improvements under RCW 47.05.030. The  
28 appropriations in this section are subject to the following conditions  
29 and limitations and specified amounts are provided solely for that  
30 activity:

31 (1) The special category C account--state appropriation of  
32 \$72,608,000 includes \$63,500,000 in proceeds from the sale of bonds  
33 authorized in RCW 47.10.812. The transportation commission may  
34 authorize the use of current revenues available to the department of

1 transportation in lieu of bond proceeds for any part of the state  
2 appropriation.

3 (2) The department shall report December 1st and June 1st of each  
4 year to the senate and the house of representatives transportation  
5 committees and the office of financial management on the timing and the  
6 scope of work being performed for the regional transit authority known  
7 as sound transit. This report shall provide a description of all  
8 department activities related to the regional transit authority  
9 including investments in state-owned infrastructure.

10 (3) The motor vehicle account--state appropriation includes  
11 \$391,637,000 in proceeds from the sale of bonds authorized by RCW  
12 47.10.843. The transportation commission may authorize the use of  
13 current revenues available to the department of transportation in lieu  
14 of bond proceeds for any part of the state appropriation.

15 (4) At least \$554,714,000 of the total appropriation is provided  
16 for the construction phase of the improvement program.

17 (5) \$4,880,000 of the multimodal transportation account--state  
18 appropriation is provided solely for the state program share of freight  
19 mobility projects as identified by the freight mobility strategic  
20 investment board.

21 (6) The motor vehicle account--state appropriation includes  
22 \$3,898,000 in unexpended proceeds from the January 2001 bond sale  
23 authorized in RCW 47.10.834 for the Tacoma Narrows bridge project. The  
24 transportation commission may authorize the use of current revenues  
25 available to the department of transportation in-lieu of bond proceeds  
26 for any part of the state appropriation.

27 NEW SECTION. **Sec. 218. FOR THE DEPARTMENT OF TRANSPORTATION--**  
28 **TRANSPORTATION ECONOMIC PARTNERSHIPS--PROGRAM K--OPERATING**  
29 Motor Vehicle Account--State Appropriation . . . \$ 1,153,000

30 NEW SECTION. **Sec. 219. FOR THE DEPARTMENT OF TRANSPORTATION--**  
31 **TRANSPORTATION ECONOMIC PARTNERSHIPS--PROGRAM K--CAPITAL**  
32 Motor Vehicle Account--State Appropriation . . . \$ 1,400,000

33 The appropriation in this section is subject to the following  
34 conditions and limitations and specified amounts are provided solely  
35 for that activity:

1 (1) The motor vehicle account--state appropriation consists of  
2 proceeds from the sale of bonds authorized in RCW 47.10.834 for all  
3 forms of cash contributions, or the payment of other costs incident to  
4 the location, development, design, right of way, and construction of  
5 the Tacoma narrows bridge improvements under the public-private  
6 transportation initiative program authorized under chapter 47.46 RCW.

7 (2) The transportation commission may authorize the use of current  
8 revenues available to the department of transportation in-lieu of bond  
9 proceeds for any part of the state appropriation.

10 NEW SECTION. **Sec. 220. FOR THE DEPARTMENT OF TRANSPORTATION--**  
11 **HIGHWAY MAINTENANCE--PROGRAM M**

12	Motor Vehicle Account--State Appropriation . . . \$	275,394,000
13	Motor Vehicle Account--Federal Appropriation . . \$	512,000
14	Motor Vehicle Account--Private/Local	
15	Appropriation . . . . . \$	4,067,000
16	TOTAL APPROPRIATION . . . . . \$	279,973,000

17 The appropriations in this section are subject to the following  
18 conditions and limitations and specified amounts are provided solely  
19 for that activity:

20 (1) If portions of the appropriations in this section are required  
21 to fund maintenance work resulting from major disasters not covered by  
22 federal emergency funds such as fire, flooding, and major slides,  
23 supplemental appropriations will be requested to restore state funding  
24 for ongoing maintenance activities.

25 (2) The department shall request an unanticipated receipt for any  
26 federal moneys received for emergency snow and ice removal and shall  
27 place an equal amount of the motor vehicle account--state into  
28 unallotted status. This exchange shall not affect the amount of  
29 funding available for snow and ice removal.

30 NEW SECTION. **Sec. 221. FOR THE DEPARTMENT OF TRANSPORTATION--**  
31 **PRESERVATION--PROGRAM P**

32	Motor Vehicle Account--State Appropriation . . . \$	90,760,000
33	Motor Vehicle Account--Federal Appropriation . . \$	318,795,000
34	Motor Vehicle Account--Private/Local	
35	Appropriation . . . . . \$	8,717,000
36	Multimodal Transportation Account--State	

1	Appropriation . . . . .	\$	64,218,000
2	Multimodal Transportation Account--Federal		
3	Appropriation . . . . .	\$	95,682,000
4	TOTAL APPROPRIATION . . . . .	\$	578,172,000

5 The appropriations in this section are subject to the following  
6 conditions and limitations and specified amounts are provided solely  
7 for that activity:

8 (1) If portions of the appropriations in this section are required  
9 to fund preservation work resulting from major disasters not covered by  
10 federal emergency funds such as fire, flooding, and major slides,  
11 supplemental appropriations will be requested to restore state funding  
12 for ongoing maintenance activities.

13 (2) The motor vehicle account--state appropriation includes  
14 \$6,524,000 for earthquake repairs and to match federal emergency relief  
15 funds. This amount includes \$3,750,000 in proceeds from the sale of  
16 bonds authorized in RCW 47.10.761 and 47.10.762 for emergency purposes.

17 (3) The department of transportation is authorized to maximize the  
18 use of federal and state funds to implement the provisions of this  
19 section.

20 (4) \$471,763,000 of the total appropriation is provided for the  
21 construction phase of the preservation program.

22 (5) The motor vehicle account--federal appropriation and the  
23 multimodal transportation account--federal appropriation are  
24 transferable between each other to ensure efficient funds management  
25 and program delivery.

26 **NEW SECTION. Sec. 222. FOR THE DEPARTMENT OF TRANSPORTATION--**  
27 **TRAFFIC OPERATIONS--PROGRAM Q--OPERATING**

28	Motor Vehicle Account--State Appropriation . . .	\$	32,402,000
29	Motor Vehicle Account--Private/Local		
30	Appropriation . . . . .	\$	125,000
31	TOTAL APPROPRIATION . . . . .	\$	32,527,000

32 **NEW SECTION. Sec. 223. FOR THE DEPARTMENT OF TRANSPORTATION--**  
33 **TRAFFIC OPERATIONS--PROGRAM Q--CAPITAL**

34	Motor Vehicle Account--State Appropriation . . .	\$	7,542,000
35	Motor Vehicle Account--Federal Appropriation . .	\$	16,678,000
36	TOTAL APPROPRIATION . . . . .	\$	24,220,000

1 The appropriations in this section are subject to the following  
 2 conditions and limitations and the specified amount is provided solely  
 3 for that activity: The motor vehicle account--state appropriation  
 4 includes \$2,986,000 for state matching funds for federally selected  
 5 competitive grant or congressional earmark projects other than  
 6 commercial vehicle information system and network (CVISN). These  
 7 moneys shall be placed into reserve status until such time as federal  
 8 funds are secured and a state match is required.

9 NEW SECTION. **Sec. 224. FOR THE DEPARTMENT OF TRANSPORTATION--**  
 10 **TRANSPORTATION MANAGEMENT AND SUPPORT--PROGRAM S**

11	State Patrol Highway Account--State		
12	Appropriation . . . . .	\$	926,000
13	Motor Vehicle Account--State Appropriation . . .	\$	94,632,000
14	Motor Vehicle Account--Federal Appropriation . .	\$	2,654,000
15	Puget Sound Ferry Operations Account--		
16	State Appropriation . . . . .	\$	6,642,000
17	Multimodal Transportation Account--State		
18	Appropriation . . . . .	\$	2,082,000
19	TOTAL APPROPRIATION . . . . .	\$	106,936,000

20 NEW SECTION. **Sec. 225. FOR THE DEPARTMENT OF TRANSPORTATION--**  
 21 **TRANSPORTATION PLANNING, DATA, AND RESEARCH--PROGRAM T**

22	Motor Vehicle Account--State Appropriation . . .	\$	18,250,000
23	Motor Vehicle Account--Federal Appropriation . .	\$	18,800,000
24	Multimodal Transportation Account--State		
25	Appropriation . . . . .	\$	987,000
26	Multimodal Transportation Account--Federal		
27	Appropriation . . . . .	\$	2,000,000
28	TOTAL APPROPRIATION . . . . .	\$	40,037,000

29 The appropriations in this section are subject to the following  
 30 conditions and limitations and the specified amount is provided solely  
 31 for that activity:

32 (1) The motor vehicle account--state appropriation includes  
 33 \$1,000,000 distributed under RCW 46.68.110(2):

34 (a) \$500,000 of the distribution under RCW 46.68.110(2) is to be  
 35 used solely by the department of transportation to collect and enter

1 collision reports into the statewide collision reporting system for  
2 local roadway planning and safety analysis.

3 (b) \$500,000 of the distribution under RCW 46.68.110(2) is provided  
4 solely to the department of transportation for the Washington strategic  
5 freight transportation analysis. The department shall work with the  
6 transportation research center to conduct an origin and destination  
7 study to determine the impacts of trade-related truck traffic and other  
8 truck impacts on the highway system. The department may also conduct  
9 other research elements, including, but not limited to, freight  
10 corridor identification, strategic resource access, and road network  
11 review.

12 (2) \$6,754,000 of the motor vehicle account--state appropriation is  
13 provided for the implementation of Senate Bill No. 5749 in the form  
14 enacted by the legislature. If Senate Bill No. 5749 is not enacted in  
15 the form passed by the legislature by July 31, 2001, this funding shall  
16 lapse.

17 NEW SECTION. **Sec. 226. FOR THE DEPARTMENT OF TRANSPORTATION--**  
18 **CHARGES FROM OTHER AGENCIES--PROGRAM U**

19 Payments in this section represent charges from other state  
20 agencies to the department of transportation.

21 (1) FOR PAYMENT OF DEPARTMENT OF GENERAL ADMINISTRATION OFFICE OF  
22 RISK MANAGEMENT FEES

23 Motor Vehicle Account--State Appropriation . . . \$ 464,000  
24 Puget Sound Ferry Operations--State  
25 Appropriation . . . . . \$ 154,000

26 (2) FOR PAYMENT OF COSTS OF THE OFFICE OF THE STATE AUDITOR

27 Motor Vehicle Account--State Appropriation . . . \$ 731,000

28 (3) FOR PAYMENT OF COSTS OF DEPARTMENT OF GENERAL ADMINISTRATION  
29 FACILITIES AND SERVICES AND CONSOLIDATED MAIL SERVICES

30 Motor Vehicle Account--State Appropriation . . . \$ 4,128,000

31 (4) FOR PAYMENT OF COSTS OF THE DEPARTMENT OF PERSONNEL

32 Motor Vehicle Account--State Appropriation . . . \$ 2,240,000

33 (5) FOR PAYMENT OF SELF-INSURANCE LIABILITY PREMIUMS AND  
34 ADMINISTRATION

35 Motor Vehicle Account--State Appropriation . . . \$ 13,892,000

36 Motor Vehicle Fund--Puget Sound Ferry Operations Account--  
37 State Appropriation . . . . . \$ 4,204,000

1 The office of risk management shall evaluate the risk pool premium  
 2 assessments to ensure that proper tracking, measuring, and reporting  
 3 methods have been utilized to ensure funding equity has been  
 4 maintained. "Funding equity" includes but is not limited to  
 5 demonstrating that premiums assessed to the department of  
 6 transportation will, over time, not exceed claims paid in order to  
 7 ensure that premiums paid by the department of transportation are not  
 8 unconstitutionally expended for nonhighway purposes. The office of  
 9 risk management shall make a full report of its findings to the  
 10 legislature no later than January 15, 2002.

11 (6) FOR PAYMENT OF COSTS OF OFFICE OF MINORITY AND WOMEN'S BUSINESS  
 12 ENTERPRISES

13 Motor Vehicle Account--State Appropriation . . . \$ 251,000

14 (7) FOR PAYMENT OF THE DEPARTMENT OF GENERAL ADMINISTRATION CAPITAL  
 15 PROJECTS SURCHARGE

16 Motor Vehicle Account--State Appropriation . . . \$ 1,547,000

17 (8) FOR ARCHIVES AND RECORDS MANAGEMENT

18 Motor Vehicle Account--State Appropriation . . . \$ 469,000

19 TOTAL APPROPRIATION . . . . . \$ 28,080,000

20 NEW SECTION. **Sec. 227. FOR THE DEPARTMENT OF TRANSPORTATION--**  
 21 **PUBLIC TRANSPORTATION--PROGRAM V**

22 Multimodal Transportation Account--State  
 23 Appropriation . . . . . \$ 11,160,000

24 Multimodal Transportation Account--Federal  
 25 Appropriation . . . . . \$ 3,074,000

26 Multimodal Transportation Account--  
 27 Private/Local Appropriation . . . . . \$ 205,000

28 TOTAL APPROPRIATION . . . . . \$ 14,439,000

29 NEW SECTION. **Sec. 228. FOR THE DEPARTMENT OF TRANSPORTATION--**  
 30 **WASHINGTON STATE FERRIES CONSTRUCTION--PROGRAM W**

31 Motor Vehicle Account--State  
 32 Appropriation . . . . . \$ 144,404,000

33 Motor Vehicle Account--Federal  
 34 Appropriation . . . . . \$ 37,472,000

35 Passenger Ferry Account--State Appropriation . . \$ 1,500,000

36 Passenger Ferry Account--Federal

1	Appropriation . . . . .	\$	4,000,000
2	TOTAL APPROPRIATION . . . . .	\$	187,376,000

3 The appropriations in this section are provided for improving the  
4 Washington state ferry system, including, but not limited to, vessel  
5 acquisition, vessel construction, major and minor vessel improvements,  
6 and terminal construction and improvements. The appropriations in this  
7 section are subject to the following conditions and limitations and  
8 specified amounts are provided solely for that activity:

9 (1) The motor vehicle account--state appropriation includes  
10 \$50,000,000 in proceeds from the sale of bonds authorized by RCW  
11 47.10.843 for vessel and terminal acquisition, major and minor  
12 improvements, and long lead time materials acquisition for the  
13 Washington state ferries. The transportation commission may authorize  
14 the use of current revenues available to the motor vehicle account in  
15 lieu of bond proceeds for any part of the state appropriation.

16 (2) Appropriations in this section include funding for the purchase  
17 or lease-purchase of one passenger ferry and assume the proceeds of the  
18 sale of the MV Kalama and MV Skagit passenger ferries shall be  
19 deposited in the passenger ferry account.

20 (3) The department shall provide staff support to a legislative  
21 oversight committee that will manage a study of the Eagle Harbor  
22 maintenance facility. The legislative oversight committee shall  
23 consist of two members from each caucus in each house of the  
24 legislature, appointed by the leadership of the members' respective  
25 caucus. The department shall issue a request for proposals on behalf  
26 of the legislative oversight committee for an outside consulting firm  
27 to conduct a study on the preservation, replacement, or supplementation  
28 of the Eagle Harbor maintenance facility. The study must analyze: (a)  
29 The costs and benefits to preserve and maintain or relocate the  
30 facility; (b) the impact of Eagle Harbor employment on the local  
31 community and Kitsap county; and (c) a recommendation on future  
32 investment in the Eagle Harbor maintenance facility or possible  
33 alternatives. The contractor and the legislative oversight committee  
34 must report back to the legislature's transportation committees no  
35 later than December 10, 2002.

36 NEW SECTION. **Sec. 229. FOR THE DEPARTMENT OF TRANSPORTATION--**  
37 **MARINE--PROGRAM X**

1 Puget Sound Ferry Operations Account--State  
2 Appropriation . . . . . \$ 321,673,000

3 The appropriation in this section is subject to the following  
4 conditions and limitations and specified amounts are provided solely  
5 for that activity:

6 (1) The appropriation is based on the budgeted expenditure of  
7 \$46,881,000 for vessel operating fuel in the 2001-2003 biennium. If  
8 the actual cost of fuel is less than this budgeted amount, the excess  
9 amount may not be expended. If the actual cost exceeds this amount,  
10 the department shall request a supplemental appropriation.

11 (2) The appropriation provides for the compensation of ferry  
12 employees. The expenditures for compensation paid to ferry employees  
13 during the 2001-2003 biennium may not exceed \$206,696,000 plus a dollar  
14 amount, as prescribed by the office of financial management, that is  
15 equal to any insurance benefit increase granted general government  
16 employees in excess of \$432.82 a month annualized per eligible marine  
17 employee multiplied by the number of eligible marine employees for the  
18 respective fiscal year, a dollar amount as prescribed by the office of  
19 financial management for costs associated with pension amortization  
20 charges, and a dollar amount prescribed by the office of financial  
21 management for salary increases during the 2001-2003 biennium. For the  
22 purposes of this section, the expenditures for compensation paid to  
23 ferry employees shall be limited to salaries and wages and employee  
24 benefits as defined in the office of financial management's policies,  
25 regulations, and procedures named under objects of expenditure "A" and  
26 "B" (7.2.6.2).

27 The prescribed salary and insurance benefit increase or decrease  
28 dollar amount that shall be allocated from the governor's compensation  
29 appropriations is in addition to the appropriation contained in this  
30 section and may be used to increase or decrease compensation costs,  
31 effective July 1, 2001, and thereafter, as established in the 2001-2003  
32 general fund operating budget.

33 (3) The department shall issue a request for information from  
34 entities interested in purchasing advertising on board Washington state  
35 ferry vessels. The department shall evaluate the proposals and report  
36 back to the legislature's transportation committees in January 2002  
37 regarding the potential for revenue from different types of  
38 advertising.

1 (4) The department may enter into contracts with private vendors to  
2 sell ferry tickets and medium at locations other than Washington state  
3 ferry terminals or facilities.

4 (a) The department may enter into the contracts only (i) with  
5 private vendors that are already established businesses offering goods  
6 for sale to the general public; and (ii) if it determines that the  
7 vendor's established location has the potential to serve a significant  
8 percentage of the customers using a particular ferry route.

9 (b) The department may adopt necessary rules and procedures to  
10 allow the use of credit and debit cards to purchase ferry tickets or  
11 medium from a private vendor who has contracted with the department to  
12 sell ferry tickets or medium. The department may establish a  
13 convenience fee to be paid by all persons purchasing ferry tickets and  
14 medium at locations other than Washington state ferry terminals or  
15 facilities. The convenience fee must be sufficient to offset the  
16 charges imposed on the department by the credit and debit card  
17 companies. In no event may the use of credit or debit cards authorized  
18 by this section create a loss of revenue to the state. The use of a  
19 personal credit card does not rely upon the credit of the state as  
20 prohibited by Article VIII, section 5 of the state Constitution.

21 (5) The legislature recognizes that projected revenues to the Puget  
22 Sound ferry operating account for the 2001-2003 biennium may be up to  
23 \$30,000,000 less than what is required to fund the appropriation  
24 provided in this section. The legislature intends to fully evaluate  
25 the extent of the shortfall and make a supplemental appropriation  
26 during the 2002 legislative session.

27 NEW SECTION. **Sec. 230. FOR THE DEPARTMENT OF TRANSPORTATION--**  
28 **RAIL--PROGRAM Y--OPERATING**  
29 Multimodal Transportation Account--State  
30 Appropriation . . . . . \$ 32,704,000

31 NEW SECTION. **Sec. 231. FOR THE DEPARTMENT OF TRANSPORTATION--**  
32 **RAIL--PROGRAM Y--CAPITAL**  
33 Essential Rail Assistance Account--State  
34 Appropriation . . . . . \$ 200,000  
35 Multimodal Transportation Account--State  
36 Appropriation . . . . . \$ 11,610,000  
37 Multimodal Transportation Account--Federal

1	Appropriation . . . . .	\$	9,630,000
2	Washington Fruit Express Account--State		
3	Appropriation . . . . .	\$	500,000
4	TOTAL APPROPRIATION . . . . .	\$	21,940,000

5 The appropriations in this section are subject to the following  
6 conditions and limitations and specified amounts are provided solely  
7 for that activity: \$2,000,000 of the multimodal transportation  
8 account--state appropriation is provided solely for the Grays Harbor  
9 loop project.

10 NEW SECTION. **Sec. 232. FOR THE DEPARTMENT OF TRANSPORTATION--**  
11 **LOCAL PROGRAMS--PROGRAM Z--OPERATING**

12	Motor Vehicle Account--State Appropriation . . .	\$	6,231,000
13	Motor Vehicle Account--Federal Appropriation . .	\$	2,569,000
14	Multimodal Transportation Account--State		
15	Appropriation . . . . .	\$	150,000
16	TOTAL APPROPRIATION . . . . .	\$	8,950,000

17 The appropriations in this section are subject to the following  
18 conditions and limitations and specified amounts are provided solely  
19 for that activity:

20 (1) The motor vehicle account--state appropriation includes  
21 \$150,000 distributed under RCW 46.68.110(2) that is provided to the  
22 Whatcom county council of governments for the sole purpose of  
23 developing and implementing a model of regional transportation  
24 governance. This model shall be developed in accordance with  
25 Recommendation 6 of the Blue Ribbon Commission on Transportation's  
26 final report.

27 The council shall develop a model that can be used in other parts  
28 of the state and shall report to the transportation committees in the  
29 senate and house of representatives on the positive and negative  
30 aspects of the model as well as costs associated with it no later than  
31 June 30, 2002.

32 (2) \$250,000 of the motor vehicle account--state appropriation is  
33 provided solely for a study of concurrency issues in urban areas marked  
34 by multiple contiguous jurisdictions. The study, lead by the city of  
35 Bellevue, will focus on the jurisdictions of Bellevue, Kirkland,  
36 Issaquah, and Redmond and will look at existing and unused

1 methodologies for including development in neighboring jurisdictions in  
 2 concurrency calculations. The study will also investigate what changes  
 3 in state and local laws are needed in order to provide a more effective  
 4 way of dealing with concurrency issues. By November 1, 2003, a report  
 5 of the findings will be made to the transportation committees of the  
 6 legislature. The appropriation in this subsection shall lapse unless  
 7 the participating cities provide \$100,000 for the study.

8 (3) Up to \$500,000 of the motor vehicle account--state  
 9 appropriation is provided solely for the study of alternatives for  
 10 repairing or replacing the Seattle sea wall. The department's  
 11 expenditure of funds provided in this subsection may not exceed the  
 12 matching contribution provided by the city of Seattle for the study.

13 **\*NEW SECTION. Sec. 233. FOR THE DEPARTMENT OF TRANSPORTATION--**  
 14 **LOCAL PROGRAMS--PROGRAM Z--CAPITAL**

15	Motor Vehicle Account--State Appropriation . . .	\$	77,371,000
16	Highway Infrastructure Account--State		
17	Appropriation . . . . .	\$	234,000
18	Highway Infrastructure Account--Federal		
19	Appropriation . . . . .	\$	1,500,000
20	Urban Arterial Trust Account--State		
21	Appropriation . . . . .	\$	4,674,000
22	Multimodal Transportation Account--State		
23	Appropriation . . . . .	\$	10,150,000
24	TOTAL APPROPRIATION . . . . .	\$	93,929,000

25 The appropriations in this section are subject to the following  
 26 conditions and limitations and specified amounts are provided solely  
 27 for that activity:

28 *(1) The highways and local programs division shall not administer*  
 29 *or distribute federal transportation enhancement funds for the project*  
 30 *known as East Lake Sammamish trail interim improvement - Issaquah to*  
 31 *Redmond - until interlocal agreements between King county and the*  
 32 *cities of Sammamish, Redmond, and Issaquah have been finalized for the*  
 33 *portions of the trail within each of these affected jurisdictions.*  
 34 *These agreements shall address safety, security, public parking,*  
 35 *design, public facilities, and public access to the trail, maintain*

1 *King county as the lead agency on the development of the trail, and*  
2 *preserve the railbanking status of the railroad right-of-way according*  
3 *to federal law.*

4 (2) \$10,000,000 of the multimodal transportation account--state  
5 appropriation is provided solely to fund the first phase of a  
6 multiphase cooperative project with the state of Oregon to dredge the  
7 Columbia river. The department shall not expend the appropriation in  
8 this section unless agreement on ocean disposal sites has been reached  
9 which protects the state's commercial crab fishery. The amount  
10 provided in this subsection shall lapse unless the state of Oregon  
11 appropriates a dollar-for-dollar match to fund its share of the  
12 project.

13 (3) The motor vehicle account--state appropriation includes  
14 \$12,000,000 in proceeds from the sale of bonds authorized by RCW  
15 47.10.843 in addition to \$16,420,000 in unexpended proceeds from the  
16 January 2001 sale. The transportation commission may authorize the use  
17 of current revenues available to the department of transportation in  
18 lieu of bond proceeds for any part of the state appropriation.

19 (4) \$4,159,000 of the motor vehicle account--state appropriation is  
20 provided solely for additional small city pavement preservation program  
21 grants, to be administered by the department's highways and local  
22 programs division.

23 (5) \$2,000,000 of the motor vehicle account--state appropriation is  
24 provided solely for additional traffic and pedestrian safety  
25 improvements near schools. The highways and local programs division  
26 within the department of transportation shall administer this program.  
27 **\*Sec. 233 was partially vetoed. See message at end of chapter.**

28 (End of part)

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**TRANSPORTATION AGENCIES CAPITAL FACILITIES**

**NEW SECTION. Sec. 301. FOR THE WASHINGTON STATE PATROL**

State Patrol Highway Account--State		
Appropriation . . . . .	\$	780,000
Motor Vehicle Account--State Appropriation . . . . .	\$	2,705,000
TOTAL APPROPRIATION . . . . .	\$	3,485,000

**NEW SECTION. Sec. 302.** The Washington state patrol is authorized to continue with the exchange of the Olympia, Washington Martin Way property for a light industrial land complex to be used to consolidate existing separately located state activities and functions. The agency will work with the office of financial management, department of general administration, the senate transportation committee, and the house of representatives transportation committee in the exchange and approval processes.

**NEW SECTION. Sec. 303. FOR THE DEPARTMENT OF TRANSPORTATION--PROGRAM D (DEPARTMENT OF TRANSPORTATION-ONLY PROJECTS)--CAPITAL**

Motor Vehicle Account--State Appropriation . . . . .	\$	13,046,000
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(End of part)

1 TRANSFERS AND DISTRIBUTIONS

2 NEW SECTION. Sec. 401. FOR THE STATE TREASURER--BOND RETIREMENT  
3 AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR  
4 BOND SALES DISCOUNTS AND DEBT TO BE PAID BY MOTOR VEHICLE FUND AND  
5 TRANSPORTATION FUND REVENUE

6	Highway Bond Retirement Account Appropriation . . . \$	207,900,000
7	Ferry Bond Retirement Account Appropriation . . . \$	48,675,000
8	Transportation Improvement Board Bond Retirement	
9	Account--State Appropriation . . . . . \$	40,856,000
10	Motor Vehicle Account--State Appropriation . . . \$	4,537,000
11	Special Category C Account--State Appropriation . \$	635,000
12	Transportation Improvement Account--State	
13	Appropriation . . . . . \$	473,000
14	TOTAL APPROPRIATION . . . . . \$	303,076,000

15 NEW SECTION. Sec. 402. FOR THE STATE TREASURER--BOND RETIREMENT  
16 AND INTEREST, AND ONGOING BOND REGISTRATION AND TRANSFER CHARGES: FOR  
17 BOND SALE EXPENSES AND FISCAL AGENT CHARGES

18	Motor Vehicle Account--State Appropriation . . . \$	450,000
19	Special Category C Account Appropriation . . . . \$	63,000
20	Transportation Improvement Account--State	
21	Appropriation . . . . . \$	47,000
22	TOTAL APPROPRIATION . . . . . \$	560,000

23 NEW SECTION. Sec. 403. FOR THE STATE TREASURER--STATE REVENUES  
24 FOR DISTRIBUTION

25	Motor Vehicle Account Appropriation for	
26	motor vehicle fuel tax refunds and	
27	distributions . . . . . \$	458,895,000
28	Motor Vehicle Account Appropriation for	
29	motor vehicle fuel tax distributions to	
30	cities and counties . . . . . \$	428,546,000
31	Motor Vehicle Account Appropriation for	
32	license, permit, and fee distribution to	
33	other accounts . . . . . \$	349,936,000

1        NEW SECTION.    **Sec. 404. STATUTORY APPROPRIATIONS.** In addition to  
2 the amounts appropriated in this act for revenue for distribution,  
3 state contributions to the law enforcement officers' and fire fighters'  
4 retirement system, and bond retirement and interest including ongoing  
5 bond registration and transfer charges, transfers, interest on  
6 registered warrants, and certificates of indebtedness, there is also  
7 appropriated such further amounts as may be required or available for  
8 these purposes under any statutory formula or under any proper bond  
9 covenant made under law.

10       NEW SECTION.    **Sec. 405.** The department of transportation is  
11 authorized to undertake federal advance construction projects under the  
12 provisions of 23 U.S.C. Sec. 115 in order to maintain progress in  
13 meeting approved highway construction and preservation objectives. The  
14 legislature recognizes that the use of state funds may be required to  
15 temporarily fund expenditures of the federal appropriations for the  
16 highway construction and preservation programs for federal advance  
17 construction projects prior to conversion to federal funding.

18       NEW SECTION.    **Sec. 406. FOR THE STATE TREASURER--TRANSFERS**

19       (1) RV Account--State Appropriation:  
20 For transfer to the Motor Vehicle Fund--State . . . \$                    1,135,000

21       The department of transportation shall only transfer funds provided  
22 under subsection (1) of this section on an as-needed basis.

23       (2) Public Transportation Systems Account--  
24 State Appropriation: For transfer to the  
25 Multimodal Transportation Account--State . . . . \$                    1,911,000

26       (3) State Patrol Highway Account--State  
27 Appropriation: For transfer to the Motor  
28 Vehicle Account . . . . . \$                    38,657,000

29       If House Bill No. 2216 or Senate Bill No. 5078 is enacted in the  
30 form passed by the legislature, the \$38,737,000 transfer from the state  
31 patrol highway account--state to the motor vehicle account is null and  
32 void. If neither House Bill No. 2216 nor Senate Bill No. 5078 is  
33 enacted in the form passed by the legislature, the state treasurer

1 shall transfer funds from the state patrol highway account to the motor  
2 vehicle account on a quarterly basis.

3 NEW SECTION. **Sec. 407. FOR THE DEPARTMENT OF TRANSPORTATION--**  
4 **TRANSFERS**

5 (1) Motor Vehicle Fund--State Appropriation:

6 For transfer to Puget Sound Ferry Operations  
7 Account . . . . . \$ 27,000,000

8 (2) Advanced Right of Way Revolving Account

9 Appropriation: For transfer to the Motor  
10 Vehicle Fund . . . . . \$ 15,000,000

11 NEW SECTION. **Sec. 408. FOR THE DEPARTMENT OF RETIREMENT SYSTEMS--**  
12 **TRANSFERS**

13 Motor Vehicle Fund--State Patrol Highway Account:

14 For transfer to the Department of Retirement  
15 Systems Expense Fund . . . . . \$ 211,000

16 (End of part)



1 (b) A review of the agency self-assessment and a report to the  
2 legislature; and

3 (c) A report which recommends whether to retain, eliminate, or  
4 modify funding and related statutory references for the agency. The  
5 parties conducting the review shall consider: (i) Whether the agency  
6 performance measures adequately measure the agency goals; (ii) whether  
7 the program performs efficiently and effectively, including comparisons  
8 with other jurisdictions, if applicable; (iii) whether there are other  
9 cost-effective alternative methods of accomplishing the program's  
10 mission; and (iv) whether there are any funds saved by the agency's  
11 performance.

12 (5) The transportation agencies shall each designate a program or  
13 programs to test the effectiveness of performance-based budgeting for  
14 the 2003-05 budget submittal period.

15 (6) Each agency shall submit a program list to the transportation  
16 committees of the house of representatives and senate and the office of  
17 financial management at the end of each fiscal year, which describes  
18 the functions of the program, the fund sources for the program, and the  
19 number of full-time equivalents, in addition to other performance  
20 targets of the program and their relationship to the agency strategic  
21 plan.

22 (7) The transportation agencies shall develop agency biennial  
23 budget requests at the agency budget program level, rather than the  
24 object level, and submit their biennial and supplemental budget  
25 requests to the office of financial management via a common budget  
26 system beginning July 1, 2003.

27 (8) The agencies shall input monthly their financial information  
28 and quarterly program performance measurements into the transportation  
29 executive information system and other systems as required by the  
30 office of financial management. The agencies shall report actuals to  
31 date against original allotments, in addition to plan to date.  
32 Original allotments may reflect supplemental budget changes as changed  
33 by the legislature and the governor.

34 \*Sec. 501 was vetoed. See message at end of chapter.

35 PROVISIONS NECESSARY TO IMPLEMENT APPROPRIATIONS

36 **Sec. 601.** RCW 47.04.210 and 1997 c 94 s 1 are each amended to read  
37 as follows:

1 Federal funds that are administered by the department of  
2 transportation and are passed through to municipal corporations or  
3 political subdivisions of the state and moneys that are received as  
4 total reimbursement for goods, services, or projects constructed by the  
5 department of transportation are removed from the transportation  
6 budget. To process and account for these expenditures a new treasury  
7 trust account is created to be used for all department of  
8 transportation one hundred percent federal and local reimbursable  
9 transportation expenditures. This new account is nonbudgeted and  
10 nonappropriated. At the same time, federal and private local  
11 appropriations and full-time equivalents in subprograms R2, R3, T6, Y6,  
12 and Z2 processed through this new account are removed from the  
13 department of transportation's 1997-99 budget.

14 The department of transportation may make expenditures from the  
15 account before receiving federal and local reimbursements. However, at  
16 the end of each biennium, the account must maintain a zero or positive  
17 cash balance. In the twenty-fourth month of each biennium the  
18 department of transportation shall calculate and transfer sufficient  
19 cash from either the motor vehicle fund or the multimodal  
20 transportation ((fund)) account to cover any negative cash balances.  
21 The amount transferred is calculated based on expenditures from each  
22 fund. In addition, any interest charges accruing to the new account  
23 must be distributed to the motor vehicle fund and the multimodal  
24 transportation ((fund)) account.

25 The department of transportation shall provide an annual report to  
26 the legislative transportation committee and the office of financial  
27 management on expenditures and full-time equivalents processed through  
28 the new account. The report must also include recommendations for  
29 process changes, if needed.

30 **Sec. 602.** RCW 47.04.220 and 1997 c 94 s 2 are each amended to read  
31 as follows:

32 (1) The miscellaneous transportation programs account is created in  
33 the custody of the state treasurer.

34 (2) Moneys from the account may be used only for the costs of:

35 (a) Miscellaneous transportation services provided by the  
36 department that are reimbursed by other public and private entities;

1 (b) Local transportation projects for which the department is a  
2 conduit for federal reimbursement to a municipal corporation or  
3 political subdivision; or

4 (c) Other reimbursable activities as recommended by the legislative  
5 transportation committee and approved by the office of financial  
6 management.

7 (3) Moneys received as reimbursement for expenditures under  
8 subsection (2) of this section must be deposited into the account.

9 (4) No appropriation is required for expenditures from this  
10 account. This fund is not subject to allotment procedures provided  
11 under chapter 43.88 RCW.

12 (5) Only the secretary of transportation or the secretary's  
13 designee may authorize expenditures from the account.

14 (6) It is the intent of the legislature that this account maintain  
15 a zero or positive cash balance at the end of each biennium. Toward  
16 this purpose the department may make expenditures from the account  
17 before receiving reimbursements under subsection (2) of this section.  
18 Before the end of the biennium, the department shall transfer  
19 sufficient cash to cover any negative cash balances from the motor  
20 vehicle fund and the multimodal transportation (~~((funds))~~) account to the  
21 miscellaneous transportation programs account for unrecovered  
22 reimbursements. The department shall calculate the distribution of  
23 this transfer based on expenditures. In the ensuing biennium the  
24 department shall transfer the reimbursements received in the  
25 miscellaneous transportation programs account back to the motor vehicle  
26 fund and the multimodal transportation (~~((funds))~~) account to the extent  
27 of the cash transferred at biennium end. The department shall also  
28 distribute any interest charges accruing to the miscellaneous  
29 transportation programs account to the motor vehicle fund and the  
30 multimodal transportation (~~((funds))~~) account. Adjustments for any  
31 indirect cost recoveries may also be made at this time.

32 (7) The department shall provide an annual report to the  
33 legislative transportation committee and the office of financial  
34 management on the expenditures and full-time equivalents processed  
35 through the miscellaneous transportation programs account. The report  
36 must also include recommendations for changes to the process, if  
37 needed.

1        NEW SECTION.    **Sec. 603.**    The highways and local programs division  
2 of the Washington state department of transportation, the  
3 transportation improvement board, the county road administration board,  
4 the freight mobility strategic investment board, the association of  
5 Washington cities, and the Washington state association of counties  
6 shall establish and staff a joint task force that will develop  
7 recommendations to establish a one-stop funding center for state funded  
8 local grant programs. The task force shall report its recommendations  
9 to the legislature no later than December 1, 2001. The recommendations  
10 of the task force shall address the following:

11        (1) Develop a memorandum of understanding that governs a  
12 multiagency grant council to coordinate state and federal grant  
13 efforts;

14        (2) Develop a simplified grant application form that can be used by  
15 all local grant-seeking agencies;

16        (3) Coordinate calls for local grant applications;

17        (4) Increase awareness of state-funded local grant programs; and

18        (5) Develop a process to forward applications to other appropriate  
19 state and federal funding programs.

20        NEW SECTION.    **Sec. 604.**    The senate transportation committee shall  
21 convene a task force to study the issues regarding abandoned vehicles,  
22 title transfers, license plate transfers, buyer and seller reports, and  
23 electronic availability of current vehicle owner information. The task  
24 force shall include the following members in addition to the department  
25 of licensing:    The Washington state tow truck association; the  
26 Washington state auto dealers; the independent towers of Washington;  
27 the Washington state patrol; and representatives of two local law  
28 enforcement agencies.

29        The task force shall consider methods by which vehicle ownership  
30 changes can occur more expeditiously, including but not limited to the  
31 timing and completeness of the seller reporting the sale of a vehicle,  
32 methods to encourage buyers to retitle vehicles in a timely manner, and  
33 changes in the processing of abandoned vehicle reports to provide more  
34 timely access to registered owner information. The task force shall  
35 also consider who bears liability for abandoned vehicles as well as the  
36 issue of impounding a registered owner's car when someone other than  
37 the owner is driving.

1        NEW SECTION.    **Sec. 605.**    The joint legislative audit and review  
2 committee shall conduct a performance audit to evaluate the advantages  
3 and disadvantages of removing the aviation division from the department  
4 of transportation and creating a Washington state department of  
5 aviation. At a minimum the evaluation must include: (1) A survey of  
6 aviation division customers to determine whether the current aviation  
7 division meets the needs of those customers; (2) a comparison of  
8 procedures, regulations, and requirements of the Federal Aviation  
9 Administration and the Federal Highway Administration to determine if  
10 the federal laws governing the aviation division conflict with those  
11 governing the department of transportation; (3) an analysis of the  
12 department of transportation's processes to determine whether the  
13 creation of a separate aviation department would result in a cost  
14 savings to the state; and (4) a financial analysis to determine if the  
15 aviation fuel tax, aircraft registration fees, and other revenue from  
16 aviation services would enable a separate aviation division to operate  
17 without additional state resources. The joint legislative audit and  
18 review committee must report its findings to the legislature and the  
19 office of financial management by December 1, 2002.

20        NEW SECTION.    **Sec. 606.**    A new section is added to chapter 47.01  
21 RCW to read as follows:

22        The Washington fruit express account is created in the state  
23 treasury. All receipts from the operations of the Washington fruit  
24 express program must be deposited into the account. Moneys in the  
25 account may be spent only after appropriation. Expenditures from the  
26 account may be used only for the operations of the Washington fruit  
27 express program and for east-west passenger rail.

28        **Sec. 607.**    RCW 43.84.092 and 2000 2nd sp.s. c 4 s 5 are each  
29 amended to read as follows:

30        (1) All earnings of investments of surplus balances in the state  
31 treasury shall be deposited to the treasury income account, which  
32 account is hereby established in the state treasury.

33        (2) The treasury income account shall be utilized to pay or receive  
34 funds associated with federal programs as required by the federal cash  
35 management improvement act of 1990. The treasury income account is  
36 subject in all respects to chapter 43.88 RCW, but no appropriation is  
37 required for refunds or allocations of interest earnings required by

1 the cash management improvement act. Refunds of interest to the  
2 federal treasury required under the cash management improvement act  
3 fall under RCW 43.88.180 and shall not require appropriation. The  
4 office of financial management shall determine the amounts due to or  
5 from the federal government pursuant to the cash management improvement  
6 act. The office of financial management may direct transfers of funds  
7 between accounts as deemed necessary to implement the provisions of the  
8 cash management improvement act, and this subsection. Refunds or  
9 allocations shall occur prior to the distributions of earnings set  
10 forth in subsection (4) of this section.

11 (3) Except for the provisions of RCW 43.84.160, the treasury income  
12 account may be utilized for the payment of purchased banking services  
13 on behalf of treasury funds including, but not limited to, depository,  
14 safekeeping, and disbursement functions for the state treasury and  
15 affected state agencies. The treasury income account is subject in all  
16 respects to chapter 43.88 RCW, but no appropriation is required for  
17 payments to financial institutions. Payments shall occur prior to  
18 distribution of earnings set forth in subsection (4) of this section.

19 (4) Monthly, the state treasurer shall distribute the earnings  
20 credited to the treasury income account. The state treasurer shall  
21 credit the general fund with all the earnings credited to the treasury  
22 income account except:

23 (a) The following accounts and funds shall receive their  
24 proportionate share of earnings based upon each account's and fund's  
25 average daily balance for the period: The capitol building  
26 construction account, the Cedar River channel construction and  
27 operation account, the Central Washington University capital projects  
28 account, the charitable, educational, penal and reformatory  
29 institutions account, the common school construction fund, the county  
30 criminal justice assistance account, the county sales and use tax  
31 equalization account, the data processing building construction  
32 account, the deferred compensation administrative account, the deferred  
33 compensation principal account, the department of retirement systems  
34 expense account, the drinking water assistance account, the Eastern  
35 Washington University capital projects account, the education  
36 construction fund, the emergency reserve fund, the federal forest  
37 revolving account, the health services account, the public health  
38 services account, the health system capacity account, the personal  
39 health services account, the state higher education construction

1 account, the higher education construction account, the highway  
2 infrastructure account, the industrial insurance premium refund  
3 account, the judges' retirement account, the judicial retirement  
4 administrative account, the judicial retirement principal account, the  
5 local leasehold excise tax account, the local real estate excise tax  
6 account, the local sales and use tax account, the medical aid account,  
7 the mobile home park relocation fund, the multimodal transportation  
8 account, the municipal criminal justice assistance account, the  
9 municipal sales and use tax equalization account, the natural resources  
10 deposit account, the perpetual surveillance and maintenance account,  
11 the public employees' retirement system plan 1 account, the public  
12 employees' retirement system plan 2 account, the Puyallup tribal  
13 settlement account, the resource management cost account, the site  
14 closure account, the special wildlife account, the state employees'  
15 insurance account, the state employees' insurance reserve account, the  
16 state investment board expense account, the state investment board  
17 commingled trust fund accounts, the supplemental pension account, the  
18 teachers' retirement system plan 1 account, the teachers' retirement  
19 system combined plan 2 and plan 3 account, the tobacco prevention and  
20 control account, the tobacco settlement account, the transportation  
21 infrastructure account, the tuition recovery trust fund, the University  
22 of Washington bond retirement fund, the University of Washington  
23 building account, the volunteer fire fighters' and reserve officers'  
24 relief and pension principal fund, the volunteer fire fighters' and  
25 reserve officers' administrative fund, the Washington fruit express  
26 account, the Washington judicial retirement system account, the  
27 Washington law enforcement officers' and fire fighters' system plan 1  
28 retirement account, the Washington law enforcement officers' and fire  
29 fighters' system plan 2 retirement account, the Washington school  
30 employees' retirement system combined plan 2 and 3 account, the  
31 Washington state health insurance pool account, the Washington state  
32 patrol retirement account, the Washington State University building  
33 account, the Washington State University bond retirement fund, the  
34 water pollution control revolving fund, and the Western Washington  
35 University capital projects account. Earnings derived from investing  
36 balances of the agricultural permanent fund, the normal school  
37 permanent fund, the permanent common school fund, the scientific  
38 permanent fund, and the state university permanent fund shall be  
39 allocated to their respective beneficiary accounts. All earnings to be

1 distributed under this subsection (4)(a) shall first be reduced by the  
2 allocation to the state treasurer's service fund pursuant to RCW  
3 43.08.190.

4 (b) The following accounts and funds shall receive eighty percent  
5 of their proportionate share of earnings based upon each account's or  
6 fund's average daily balance for the period: The aeronautics account,  
7 the aircraft search and rescue account, the county arterial  
8 preservation account, the department of licensing services account, the  
9 essential rail assistance account, the ferry bond retirement fund, the  
10 grade crossing protective fund, the high capacity transportation  
11 account, the highway bond retirement fund, the highway safety account,  
12 the motor vehicle fund, the motorcycle safety education account, the  
13 pilotage account, the public transportation systems account, the Puget  
14 Sound capital construction account, the Puget Sound ferry operations  
15 account, the recreational vehicle account, the rural arterial trust  
16 account, the safety and education account, the special category C  
17 account, the state patrol highway account, the transportation equipment  
18 fund, the transportation fund, the transportation improvement account,  
19 the transportation improvement board bond retirement account, and the  
20 urban arterial trust account.

21 (5) In conformance with Article II, section 37 of the state  
22 Constitution, no treasury accounts or funds shall be allocated earnings  
23 without the specific affirmative directive of this section.

24 **Sec. 608.** RCW 43.84.092 and 2000 2nd sp.s. c 4 s 6 are each  
25 amended to read as follows:

26 (1) All earnings of investments of surplus balances in the state  
27 treasury shall be deposited to the treasury income account, which  
28 account is hereby established in the state treasury.

29 (2) The treasury income account shall be utilized to pay or receive  
30 funds associated with federal programs as required by the federal cash  
31 management improvement act of 1990. The treasury income account is  
32 subject in all respects to chapter 43.88 RCW, but no appropriation is  
33 required for refunds or allocations of interest earnings required by  
34 the cash management improvement act. Refunds of interest to the  
35 federal treasury required under the cash management improvement act  
36 fall under RCW 43.88.180 and shall not require appropriation. The  
37 office of financial management shall determine the amounts due to or  
38 from the federal government pursuant to the cash management improvement

1 act. The office of financial management may direct transfers of funds  
2 between accounts as deemed necessary to implement the provisions of the  
3 cash management improvement act, and this subsection. Refunds or  
4 allocations shall occur prior to the distributions of earnings set  
5 forth in subsection (4) of this section.

6 (3) Except for the provisions of RCW 43.84.160, the treasury income  
7 account may be utilized for the payment of purchased banking services  
8 on behalf of treasury funds including, but not limited to, depository,  
9 safekeeping, and disbursement functions for the state treasury and  
10 affected state agencies. The treasury income account is subject in all  
11 respects to chapter 43.88 RCW, but no appropriation is required for  
12 payments to financial institutions. Payments shall occur prior to  
13 distribution of earnings set forth in subsection (4) of this section.

14 (4) Monthly, the state treasurer shall distribute the earnings  
15 credited to the treasury income account. The state treasurer shall  
16 credit the general fund with all the earnings credited to the treasury  
17 income account except:

18 (a) The following accounts and funds shall receive their  
19 proportionate share of earnings based upon each account's and fund's  
20 average daily balance for the period: The capitol building  
21 construction account, the Cedar River channel construction and  
22 operation account, the Central Washington University capital projects  
23 account, the charitable, educational, penal and reformatory  
24 institutions account, the common school construction fund, the county  
25 criminal justice assistance account, the county sales and use tax  
26 equalization account, the data processing building construction  
27 account, the deferred compensation administrative account, the deferred  
28 compensation principal account, the department of retirement systems  
29 expense account, the drinking water assistance account, the Eastern  
30 Washington University capital projects account, the education  
31 construction fund, the emergency reserve fund, the federal forest  
32 revolving account, the health services account, the public health  
33 services account, the health system capacity account, the personal  
34 health services account, the state higher education construction  
35 account, the higher education construction account, the highway  
36 infrastructure account, the industrial insurance premium refund  
37 account, the judges' retirement account, the judicial retirement  
38 administrative account, the judicial retirement principal account, the  
39 local leasehold excise tax account, the local real estate excise tax

1 account, the local sales and use tax account, the medical aid account,  
2 the mobile home park relocation fund, the multimodal transportation  
3 account, the municipal criminal justice assistance account, the  
4 municipal sales and use tax equalization account, the natural resources  
5 deposit account, the perpetual surveillance and maintenance account,  
6 the public employees' retirement system plan 1 account, the public  
7 employees' retirement system combined plan 2 and plan 3 account, the  
8 Puyallup tribal settlement account, the resource management cost  
9 account, the site closure account, the special wildlife account, the  
10 state employees' insurance account, the state employees' insurance  
11 reserve account, the state investment board expense account, the state  
12 investment board commingled trust fund accounts, the supplemental  
13 pension account, the teachers' retirement system plan 1 account, the  
14 teachers' retirement system combined plan 2 and plan 3 account, the  
15 tobacco prevention and control account, the tobacco settlement account,  
16 the transportation infrastructure account, the tuition recovery trust  
17 fund, the University of Washington bond retirement fund, the University  
18 of Washington building account, the volunteer fire fighters' and  
19 reserve officers' relief and pension principal fund, the volunteer fire  
20 fighters' and reserve officers' administrative fund, the Washington  
21 fruit express account, the Washington judicial retirement system  
22 account, the Washington law enforcement officers' and fire fighters'  
23 system plan 1 retirement account, the Washington law enforcement  
24 officers' and fire fighters' system plan 2 retirement account, the  
25 Washington school employees' retirement system combined plan 2 and 3  
26 account, the Washington state health insurance pool account, the  
27 Washington state patrol retirement account, the Washington State  
28 University building account, the Washington State University bond  
29 retirement fund, the water pollution control revolving fund, and the  
30 Western Washington University capital projects account. Earnings  
31 derived from investing balances of the agricultural permanent fund, the  
32 normal school permanent fund, the permanent common school fund, the  
33 scientific permanent fund, and the state university permanent fund  
34 shall be allocated to their respective beneficiary accounts. All  
35 earnings to be distributed under this subsection (4)(a) shall first be  
36 reduced by the allocation to the state treasurer's service fund  
37 pursuant to RCW 43.08.190.

38 (b) The following accounts and funds shall receive eighty percent  
39 of their proportionate share of earnings based upon each account's or

1 fund's average daily balance for the period: The aeronautics account,  
2 the aircraft search and rescue account, the county arterial  
3 preservation account, the department of licensing services account, the  
4 essential rail assistance account, the ferry bond retirement fund, the  
5 grade crossing protective fund, the high capacity transportation  
6 account, the highway bond retirement fund, the highway safety account,  
7 the motor vehicle fund, the motorcycle safety education account, the  
8 pilotage account, the public transportation systems account, the Puget  
9 Sound capital construction account, the Puget Sound ferry operations  
10 account, the recreational vehicle account, the rural arterial trust  
11 account, the safety and education account, the special category C  
12 account, the state patrol highway account, the transportation equipment  
13 fund, the transportation fund, the transportation improvement account,  
14 the transportation improvement board bond retirement account, and the  
15 urban arterial trust account.

16 (5) In conformance with Article II, section 37 of the state  
17 Constitution, no treasury accounts or funds shall be allocated earnings  
18 without the specific affirmative directive of this section.

19 NEW SECTION. **Sec. 609.** Notwithstanding the limitations of RCW  
20 36.82.070 and 2001 c 221 s 3, county road funds may be used during this  
21 biennium beyond the county right-of-way for activities clearly  
22 associated with removal of fish passage barriers that are the  
23 responsibility of the county in the amount deemed appropriate by the  
24 county.

25 NEW SECTION. **Sec. 610.** Section 607 of this act expires March 1,  
26 2002.

27 NEW SECTION. **Sec. 611.** Section 608 of this act takes effect March  
28 1, 2002.

29 NEW SECTION. **Sec. 612.** If any provision of this act or its  
30 application to any person or circumstance is held invalid, the  
31 remainder of the act or the application of the provision to other  
32 persons or circumstances is not affected.

33 NEW SECTION. **Sec. 613.** Except for section 608 of this act, this  
34 act is necessary for the immediate preservation of the public peace,

1 health, or safety, or support of the state government and its existing  
2 public institutions, and takes effect immediately.

3 (End of part)

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Passed the Senate June 21, 2001.

Passed the House June 21, 2001.

Approved by the Governor June 26, 2001, with the exception of certain items that were vetoed.

Filed in Office of Secretary of State June 26, 2001.

1 Note: Governor's explanation of partial veto is as follows:

2 "I am returning herewith, without my approval as to sections 106;  
3 210 (lines 10-13); 233(1); and 501 of Third Engrossed Substitute Senate  
4 Bill No. 5327 entitled:

5 "AN ACT Relating to transportation funding and appropriations;"

6 My reasons for vetoing these sections are as follows:

7 **Section 106, Pages 3-4, Washington State Patrol Communications Study**  
8 **(Joint Legislative Audit and Review Committee)**

9 This section would have provided \$50,000 from the State Patrol Highway  
10 Account to the Joint Legislative Audit and Review Committee for a study

1 of the planning process and analysis employed by the Washington State  
2 Patrol in developing its 2001-03 budget request for replacement of its  
3 emergency communication system. The study as described in the proviso  
4 would have examined the planning process rather than the needs of the  
5 Patrol as they relate to statewide emergency communications. The  
6 Patrol has utilized the expertise of its employees and private sector  
7 engineers to establish a ten-year capital improvement plan for its  
8 outdated emergency communications system. Additional review of the  
9 planning process would serve only to delay real improvements to the  
10 system and would divert resources from more critical functions in the  
11 budget and fiscal and information technology offices of the State  
12 Patrol.

13 **Section 210, Page 11, line 10 beginning with "The Washington state**  
14 **patrol . . ." through line 13, Electronic Services Off-Duty Vehicle**  
15 **Assignment (Washington State Patrol-Support Services Bureau)**

16 This proviso would have required the Washington State Patrol to allow  
17 electronic services field technicians to take home their assigned  
18 vehicle and equipment even though they may be off-duty. Currently,  
19 only on-call technicians are allowed to take home their vehicles and  
20 equipment. The agency has not experienced any adverse effect from the  
21 existing policy. The provision in this section would have required an  
22 additional \$200,000 each biennium for fuel, maintenance and vehicle  
23 replacement costs resulting from the increase in mileage due to off-  
24 duty personnel commuting to and from work. These increased costs  
25 cannot be carved out of the agency's existing budget, and no new  
26 funding was provided in the 2001-03 transportation budget.

27 **Section 233(1), Page 24, East Lake Sammamish Trail Interim Improvement**  
28 **(Department of Transportation - Local Programs - Program Z - Capital)**

29 This section would have directed the Washington State Department of  
30 Transportation to withhold federal transportation enhancement funds for  
31 the East Lake Sammamish Trail Interim Improvement Project until  
32 interlocal agreements are secured between King County and the cities of  
33 Sammamish, Redmond, and Issaquah. The transportation enhancement funds  
34 that were conditioned by this section are federal pass-through dollars  
35 designated for local agency transportation projects and programs.  
36 While the state plays an important role in selecting these types of  
37 projects for federal funding, I believe it would be inappropriate for  
38 the state to condition the receipt of these funds beyond the Local  
39 Agency Guidelines prepared specifically for the administration of these  
40 projects.

41 **Section 501, Pages 30-31, Performance Based Budgeting Provisions**

42 Section 501 would have outlined performance-based budgeting  
43 requirements for state transportation agencies. While I support  
44 performance-based budgeting and commend the Transportation Committees'  
45 interest, some elements of the criteria established in this section  
46 were inconsistent with current statewide budget and accounting  
47 standards. The Office of Financial Management is designated in the  
48 Budget, Accounting and Reporting Act as the agency responsible for  
49 establishing budget instructions and developing and maintaining  
50 statewide financial systems. The criteria in this section would have  
51 established additional and duplicative reporting requirements for  
52 transportation agencies. The creation of two separate tracks for the  
53 analysis of financial data would have made it impossible to provide  
54 consistent and connected statewide financial information. It is my  
55 expectation that agencies will continue to work with the Office of  
56 Financial Management and the legislative fiscal committees to develop

1 and implement uniform performance-based budgeting reporting standards  
2 that will be applicable to all state agencies.

3 For these reasons, I have vetoed sections 106; 210 (lines 10-13);  
4 233(1); and 501 of Third Engrossed Substitute Senate Bill No. 5327.

5 With the exception of sections 106; 210 (lines 10-13); 233(1); and  
6 501, Third Engrossed Substitute Senate Bill No. 5327 is approved."